

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-------------------------------|---|---------------------|
| JAMELL FAGAN, | : | CIVIL ACTION |
| Plaintiff, | : | |
| | : | |
| v. | : | NO. 24-5519 |
| | : | |
| JAQUANA GOODE, et al., | : | |
| Defendants. | : | |

ORDER

AND NOW, this 7th day of January 2025, upon consideration of Jamell Fagan's motion to proceed *in forma pauperis* (DI 1), Prisoner Trust Fund Account Statement (DI 3), *pro se* complaint (DI 2), and for reasons in the accompanying memorandum, it is **ORDERED**:

1. Mr. Fagan's motion for leave to proceed *in forma pauperis* (DI 1) is **GRANTED** pursuant to 28 U.S.C. § 1915.

2. Jamell Fagan, #MQ6130, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Superintendent SCI Frackville or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Mr. Fagan's inmate account; or (b) the average monthly balance in Mr. Fagan's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Mr. Fagan's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Mr. Fagan's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Superintendent of SCI Frackville.
4. The Complaint is **DEEMED** filed.
5. Mr. Fagan's Complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court's Memorandum.
6. The Clerk of Court shall **CLOSE** this case.


MURPHY, J.